

Chichester District Council

THE CABINET

5 June 2018

Section 106 Community Facilities – Westhampnett Community Hall

1. Contacts

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2. Recommendation

- 2.1. That the Cabinet recommends to the Council the release of £98,712 section 106 community facilities monies plus interest accrued to the date of release to Westhampnett Parish Council for the construction of Westhampnett Community Hall.**

3. Background

- 3.1. Westhampnett parish contains the settlements of Westhampnett, Maudlin and Westerton. Local residents have long felt the lack of a communal focus, and specifically the lack of a community building or centre. The desire for a community room was documented in the parish survey of 2005, and identified as an action for the parish council.
- 3.2. Since that time, the parish council has pursued a number of options for the siting and creation of a community room or hall.
- 3.3. In October 2008, Chichester District Council (CDC) received £98,712, the section 106 community facilities contribution secured from the development of land at the former Gravel Pit on Stane Street Westhampnett.
- 3.4. Subsequently in 2012 permission was granted for a further site to the south of Stane Street (Maudlin Nurseries) for 100 houses which included a site for the creation of a new community hall. The section 106 agreement for this site allowed for the creation of the hall by the developer on the condition that the receipt detailed in para 3.3 was contributed to the scheme.
- 3.5. During the development of the Maudlin Nurseries, Westhampnett Parish Council were dissatisfied with the proposals for the community hall, and negotiated extensively with the developers to seek changes. In the end, they opted to secure ownership of the land, with the commuted sum paid direct to them, and take control of the project. While this scenario was anticipated in the drafting of the section 106 agreement, a deed of variation has been required in order to achieve the desired outcome.

- 3.6. Designs for a community hall that the parish council was happy to implement were developed and submitted for planning, and a permission (12/02360/OUT and subsequent Reserved Matters) was secured. Since that time the parish council has sought to determine the costs of construction and undertook a full tendering exercise, identifying a preferred contractor in 2016. Details of quotes received are included in the appendix (which is confidential Part II exempt material). Now that the deed of variation has been agreed by all parties, the way forward is more certain.

4. Outcomes

- 4.1. In receiving the section 106 community facility contribution outlined in para 3.3, CDC is obligated to achieve improvements to community facilities in the parish of Westhampnett. Any proposal for spend should create additional built capacity for community activity, as close to the housing development as can reasonably be achieved.
- 4.2. In designing a new build community building, Westhampnett Parish Council was keen to accommodate the needs of new residents in the latest housing developments, meet the deficit of facilities in the parish, as well as future proof the facility through potential future enhancement to meet the needs of other planned development in the parish.

5. Proposal

- 5.1. Westhampnett Parish Council would like to proceed with the construction of its proposed community hall. The proposed layout provides a main hall with vaulted ceiling and a single storey reception area, kitchen, toilets and plant. In the longer term, the roof height could accommodate a future extension into that space to provide further accommodation to meet the needs of future growth at the strategic development location in the parish.
- 5.2. The parish council initially sought quotations for the works in 2016 and identified a preferred contractor. Negotiations regarding the way forward have been protracted, and the deed of variation had been proposed for some time before it was agreed by all parties in April 2018. Westhampnett Parish Council has revised costs with its preferred contractor (March 2018). The costs of this project are significantly in excess of the section 106 funding available and Westhampnett Parish Council is using both the commuted sum from the Maudlin Nursery site and other sources of funding to implement the scheme. A breakdown of funding sources can be found in the Part II exempt appendix.

6. Alternatives Considered

- 6.1. The original permission for the Maudlin Nursery site required the developer to build the community hall. CDC officers were involved at various stages in supporting the Parish Council in their aspirations for the building, and ensuring the developer met their obligations. Westhampnett Parish Council undertook a full tender exercise, initially to challenge the costs and designs proposed by the developer of the Maudlin Nursery site. The subsequent negotiation has demonstrated that the developer delivery is not the preference of the community.

- 6.2. Further development in Westhampnett is expected, and the strategic site at Madgewick Lane will make further contribution towards the enhancement of the as yet unbuilt community hall. There could be some economic benefit in waiting for that contribution to be paid and the parish council commission a hall of a different specification. However, with no certainty of the timescale for this further receipt to come through, and the impending expiry of contribution being determined by this report, the parish council is encouraged to proceed with the delivery of the hall as currently designed – with the ability to extend and further improve when other funding becomes available.
- 6.3. The new hall will become the first community owned venue in the parish. There are no other venues in the parish that could be further improved through the use of these monies, or any other calls on the money in the nine years it has been held by CDC.

7. Resource and Legal Implications

- 7.1. As with other spends of this type, the implementation of the proposed project is a community led endeavour, in this instance Westhampnett Parish Council. The funding and the implied endorsement of their efforts will enable the parish council to commission the works, but implementation will be monitored by officers and monies released on evidence of spend.
- 7.2. Once received, the council is obligated through the section 106 agreement to spend the contribution within ten years of receipt (by October 2018). The interest accumulated by this section 106 receipt has been estimated by Finance as £5,475.41 (as at 1 May 2018).

8. Consultation

- 8.1. Over the course of the last four years, Westhampnett Parish Council has made a number of bids under the New Homes Bonus (Parish Allocations) Scheme for specific elements of the proposed hall. In each case, the proposal has received the full support of the Grants and Concessions Panel, recognising the benefits the proposed facility will bring to both existing and new residents.
- 8.2. The ward member for Westhampnett has been consulted in the development of this report. The local ward member Mike Hall firmly supports the improvements to facilities in this location and the additional capacity it could provide.

9. Community Impact and Corporate Risks

- 9.1. The proposed allocation of section 106 community facilities contribution demonstrates direct benefit both to residents of the relevant development, the development on which the hall is to be built and the wider community of Westhampnett parish, as well as future residents on the strategic development location as that progresses.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		X
Climate Change		X
General Data Provision Regulations		X
Human Rights and Equality Impact Positive – improved provision of public space to existing community and new residents	X	
Safeguarding		X

11. Appendices

- 11.1. Summary of quotes received, sources of funding. [**Note** Part II exempt restricted material printed on salmon paper for the information of members and relevant officers only: Para 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A to the Local Government Act 1972]

12. Background Papers

- 12.1. None